



STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL
DARRELL V. MCGRAW, JR.
CONSUMER PROTECTION DIVISION
1-800-368-8808 or 304-558-8986

Press Release

FOR IMMEDIATE RELEASE

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Attorney General McGraw Stops Florida Collection Agency From Threatening Consumers With Coercive Collection Practices

Attorney General Darrell McGraw filed suit today in the Circuit Court of Kanawha County against Charles Howell & Associates, ("Howell"), a Florida collection agency, and its President, Gregory Wells of Tampa, Florida, for unlawful, coercive debt collection practices.

Beginning in 2006, consumers complained that they had received calls from Howell suggesting they would be arrested if they did not pay a cellular telephone bill. According to the lawsuit, Howell tried to coerce payments from consumers by implying that a "federal marshal" would appear at the consumer's workplace, or that a deputy sheriff would serve a warrant for the consumer's arrest. Any debt collection contact involving an accusation of a crime or similar conduct is strictly forbidden by law. Consumers also reported that Howell threatened to sue them if they did not pay. Because Howell employs no lawyers and does not file lawsuits of any kind, these threats were misleading and therefore, unlawful.

Many of the debts are not even valid. One sixty-one year old homemaker from Wetzel County who never owned a cellular telephone was told that a summons would be issued against her over an Ntelos bill. Another West Virginia senior reported that a Howell representative swore at her over the telephone and threatened to send a deputy to her door. The woman is seventy-two years old and does not believe the cellular telephone debt is valid, but paid more than \$300 to stop the calls.

Still other consumers complained to McGraw's office that Howell unlawfully disclosed personal information to their employers, neighbors, co-workers and family members. For one forty-eight year old consumer, Howell piled on the pressure by calling the woman's mother and disclosing information about the debt, and threatening garnishment of wages if she failed to pay.

McGraw's office investigated the collection agency and determined that Howell did not have a license to collect debts in West Virginia during at least some of the period of time in which it was engaged in collections here. A subpoena was issued to Howell, but was largely ignored. "West Virginia consumers will not be harassed by these coercive, unlawful debt collection tactics" said McGraw.

McGraw's office seeks a preliminary injunction barring Howell from conducting any debt collection activity in West Virginia until the case can be resolved, and asks that the Court eventually order restitution, debt cancellation, and civil penalties.

Consumers who would like to file a complaint are encouraged to call Attorney General McGraw's Consumer Protection Division at 1-800-368-8808 or 304-558-8986. Consumers may also write to Post Office Box 1789, Charleston, WV 25326-1789, e-mail, consumer@wvago.state.wv.us, or visit the Attorney General's website at www.wvago.gov.

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